

**From:** [Scott Roy](#)  
**To:** [Jeanne Briskin/DC/USEPA/US@EPA](#)  
**Cc:** [Steven Chester/DC/USEPA/US@EPA](#); [Bernadette Rappold/DC/USEPA/US@EPA](#); [Bob Sussman/DC/USEPA/US@EPA](#)  
**Subject:** RE: A moment to talk?  
**Date:** 03/31/2012 09:24 AM

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Jeanne,  
Thank you for the rewrite. It does appear consistent with our conversation. As to duplicate blind samples referenced in paragraph #6 our rationale is as follows:

The splitsample is a sample split in two and tested independently to ascertain lab analysis precision whereas a duplicate sample is a second sample taken from the same source at the same time to ascertain sampling precision. A duplicate sample could also be split. The reference to blind provides a control for any potential bias. So we would like to have both referenced.

Regarding confidentiality, as we discussed the primary concern is related to proprietary interests of the content of mixture used by frac contractors. There may be proprietary interests beyond chemicals such as revealing lease hold, well production number on a per well basis, length of laterals which may be shared by Range with the EPA which we may deem proprietary/confidential at least for a limited period of time. I believe the access terms as you have revised provide for these considerations. Please confirm if you agree.

-----Original Message-----

**From:** Jeanne Briskin [[Briskin.Jeanne@epamail.epa.gov](mailto:Briskin.Jeanne@epamail.epa.gov)]  
**Sent:** Friday, March 30, 2012 04:23 PM Central Standard Time  
**To:** Scott Roy  
**Cc:** Steven Chester; Bernadette Rappold; Bob Sussman  
**Subject:** RE: A moment to talk?

Dear Scott,

Attached is a revision to the proposed access arrangements based on our discussion earlier this week. I have proposed language that I believe is consistent with our conversation.

We hope to hear from you soon about the topic of blind samples. It will also be important that we confirm our common understanding of the term propriety information (see item #11).

One item that we did not discuss in our call is whether EPA will receive copies of Range's QAPPs, analyses and reports, as we are committing providing the same to Range. This topic did not arise during our call, as the issue is not associated with one of Range's original conditions. In the interest of having a full set of data and context, we believe it is useful and important that we both have the same information. So there is a proposed sentence added to the document along these lines.

Please let me know if you have any questions or concerns.

best,

Jeanne

*(See attached file: Range revised access conditions 033012.doc)*

Jeanne Briskin  
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▼ Bob Sussman---03/29/2012 04:58:06 PM---Scott -- just left you a detailed voice mail. Hope I used the right number. In brief, I think we're

From: Bob Sussman/DC/USEPA/US  
To: Scott Roy <sroy@rangeresources.com>  
Cc: Jeanne Briskin/DC/USEPA/US@EPA, Steven Chester/DC/USEPA/US@EPA, Bernadette Rappold/DC/USEPA/US@EPA  
Date: 03/29/2012 04:58 PM  
Subject: RE: A moment to talk?

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Scott -- just left you a detailed voice mail. Hope I used the right number.

In brief, I think we're on the right track after several conversations between counsel after our conversation.

We'll be sending you (probably from Jeanne Briskin) an e-mail on the ORD access issues. I suspect it will be tomorrow and we're all optimistic that we can reach closure quickly and get to work.

I'll be in Boston tomorrow but call my cell U.S. FOIA Exempt (b) (6) if we need to talk.

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
(202-564-7397)  
US Environmental Protection Agency

▼ Scott Roy ---03/21/2012 10:13:16 AM---I could speak between now and 1:00 if you are available. What number shall I use? -----Original Mess

From: Scott Roy <sroy@rangeresources.com>

To: Bob Sussman/DC/USEPA/US@EPA  
Date: 03/21/2012 10:13 AM  
Subject: RE: A moment to talk?

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I could speak between now and 1:00 if you are available. What number shall I use?

-----Original Message-----

**From:** Bob Sussman [[Sussman.Bob@epamail.epa.gov](mailto:Sussman.Bob@epamail.epa.gov)]  
**Sent:** Wednesday, March 21, 2012 09:01 AM Central Standard Time  
**To:** Scott Roy  
**Cc:** Donald Maddox  
**Subject:** Re: A moment to talk?

Sorry Scott -- just seeing this. Happy to talk if you'd like to find some time today.

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
US Environmental Protection Agency

▼ Scott Roy ---03/20/2012 06:04:40 PM---From: Scott Roy <sroy@rangeresources.com> To: Bob Sussman/DC/USEPA/US@EPA

From: Scott Roy <sroy@rangeresources.com>  
To: Bob Sussman/DC/USEPA/US@EPA  
Date: 03/20/2012 06:04 PM  
Subject: A moment to talk?

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